

REMARKS

Claims 1-20 are pending. By this Response, claims 1, 11, 16 and 19 are amended.

Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Objections

The Office Action rejects claims 1, 11, 16 and 19 due to minor informalities. Applicants have amended claims 1, 11, 16 and 19 to address the alleged informalities. Accordingly, withdrawal of the objections are respectfully requested.

Prior Art Rejections

The Office Action rejects claims 1, 2, 5-9, 11, 12 and 15-19 under 35 U.S.C. §102(e) as being anticipated by Usuba, et al. (US 6,614,754), claims 3 and 13 under 35 U.S.C. §103(a) as being unpatentable over Usuba in view of Taniguichi (US 6,122,250); claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Usuba in view of Richardson (US 5,479,608); and claims 10 and 20 under 35 U.S.C. §103(a) as being unpatentable over Usuba in view of de Boer, et al. (US 6,259,837). These rejections are respectfully traversed.

Usuba teaches a system in which a bi-directional line switch network is used that allows a time slot to be changed when a path passes through a node in the network. The system also employs a method for protecting the path when the time slot switching occurs.

Each of the nodes in Usuba's system performs an addition and drop of a path between an external communication apparatus and optical communication lines. The nodes can also permit

the path to pass through or change a direction of the path. A control unit located on the nodes controls these operations. When a path passes through each of the nodes, a time slot number of the path is inputted into the node and a time slot number of the path is also outputted on the node. In Usuba's system, the time slot number of the path is set such that if a failure occurs, the time slot numbers can be provided to a protection path such that communication between adjacent nodes is not interrupted.

Nowhere does Usuba teach or suggest a method that includes the steps of obtaining protection information specifying a protection mechanism to be implemented on the network, as recited in claim 1 or a system that includes a processor that obtains protection information that specifies a protection mechanism to be implemented in the network, as recited in claim 11. The Office Action alleges that column 2, lines 11-18 teach the claimed features of obtaining protection information. Applicants respectfully submit that in the embodiments defined by claims 1 and 11, the protection information obtained specifies what protection mechanism is to be implemented in the network. Usuba does not teach obtaining information that dictates what protection mechanism the network will implement. Furthermore, column 2, lines 11-18 of Usuba merely teaches the switching of a path when a failure occurs. This switching action is engaging in a protection mechanism already implemented in the system of Usuba. No teaching of obtaining information that allows the system to specify and implement throughout the network a particular protection mechanism is taught at column 2, lines 11-18 or anywhere else in Usuba.

Furthermore, the Office Action also alleges that column 2, lines 11-18 teaches the claimed provisioning of at least one of time division multiplexing group (TDMG) and facility fault protection (FFP) depending upon the protection mechanism to be implemented on the

network, as recited in claims 1 and 11. In the embodiments defined by claims 1 and 11, the provisioning of the TDMG and FFP is dependent upon the protection mechanism specified and implemented in the network. As discussed above in column 2, lines 11-18 merely teaches path switching during a failure. Nowhere does it teach or suggest provisioning a TDMG or FFP, let alone, depending upon a particular protection mechanism implemented in the network. Applicants respectfully submit that this feature of independent claims 1 and 11 is not taught in Usuba at column 2, lines 11-18 or anywhere else.

Furthermore, Taniguchi, Richardson and de Boer fail to make up for deficiencies with Usuba. Therefore, in view of the above, applicants respectfully submit that Usuba fails to teach each and every feature of independent claims 1 and 11 as required. Dependent claims 2-10 and 12-20 are distinguishable over the cited art at least due to their dependency upon claims 1 and 11. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-20 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

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In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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